

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION No :22750 of 2007

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DATED:26-10-2007

BETWEEN:

Reparla Narasimha Rao.

..... PETITIONER

AND

The Tahsildar,
Mandal Revenue Office,
Movva mandal,
Krishna District & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the inaction of the 2nd respondent in granting stay of the proceedings in the appeal preferred by the petitioner against the orders in Rc.A.264/2007, dated 20-08-2007, served on the petitioner on 24-10-2007 by the 1st respondent in evicting the petitioner from his agricultural land in an extent of Ac.1.10 cents in Sy.No.35/1A, in Kosuru village, Movva mandal, Krishna District, as illegal and arbitrary.

3. It is the case of the petitioner that as against the orders passed by the 1st respondent-Tahsildar, Movva mandal, Krishna District in Rc.A.264/2007, dated 20-08-2007, in passing the resumption orders under Section 4B of the A.P.Assigned Lands (Prohibition of Transfers) Act (for brevity, 'the Act') on the ground that the lands in an extent of Ac.1.10 cents in Sy.No.33/1A situated at Kosuru village, Movva mandal, Krishna District are assigned in favour of one Meka Lakshmaiah and the said assigned lands have been transferred under sub-Section 2 of Section 3 of the Act, petitioner filed an appeal before the 2nd respondent-Revenue Divisional Officer, Machilipatnam on 25-10-2007 along with the stay application, but

even before the appeal is disposed of, 1st respondent is taking steps to dispossess the petitioner. Hence, the present Writ Petition.

4. Having regard to the facts and circumstances, Writ Petition is disposed of directing the 2nd respondent-Revenue Divisional Officer, Machilipatnam, to consider and dispose of the appeal filed by the petitioner on 25-10-2007 against the order of the 1st respondent in Rc.A.264/2007, dated 20-08-2007, as expeditiously as possible and pending disposal of the appeal, *status quo* obtaining as on today with regard to possession shall be maintained. No costs.

V.ESWARAIAH,J

26th October, 2007.
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